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SUBJECT: DAILY SUMMARY OF JAPANESE PRESS 08/23/07

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ARTICLES:

- (1) Spotlight on anti-terror law deliberations: Half of all fuel supplied by MSDF in Indian Ocean goes to US ships

Eve., August 23, 2007

In connection with the Maritime Self-Defense Force's (MSDF) non-reimbursable oil-refueling activities in the Indian Ocean, where MSDF ships are deployed, it has been learned from a Defense Ministry document that over nearly six years, oil was supplied to a total of 11 countries participating (in mop-up anti-terrorist operations), and that nearly 350 times or half of the refueling went to US warships. The Anti-Terrorist Special Measures Law will expire Nov. 1, and the Democratic Party of Japan (DPJ or Minshuto) has taken a stance opposing an extension of that law. While the government and the US are stressing that the anti-terrorist war has "international breadth," the question of how to evaluate the weight given to assisting the US will be one focus of attention in the deliberations on the anti-terror bill in the extraordinary session of the Diet this fall.

The document is a paper titled, "State of SDF activities and accomplishments." It seems to have been prepared for use mainly to brief opposition party lawmakers, based on the opposition camp occupying a majority of seats now in the Upper House.

The purpose of the multinational force's "blockade activities at sea" is to block terrorist movements at sea and stop oceanic transport of weapons and drugs to Afghanistan. According to the document, the MSDF since December 2001, not long after the terrorist attacks on America, until this July 26, has supplied fuel to warships of 11 countries for a total of 769 times, with oil totaling approximately 480,000 kiloliters (valued at approximately 21.9 billion yen). Of this, US ships were supplied 350 times, much more than Pakistan, which was supplied 135 times. France came in third with 94 times.

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However, the number of times for refueling and the volume of oil supplied have been dropping every year. The peak was 175,000 kiloliters in 2002, but the fuel supplied to the ships dropped to 48,000 kiloliters in 2006. Since the special measures law was extended last Nov., refueling of Pakistani warships occurred 30 times, greater than the US (16 times) and France (17 times).

The document refers also to blockade activities at sea. There were over 11,000 incidents of boarding inspections; over 140,000 wireless inquiries. Stating that the number of suspicious vessels had dropped, the report revealed that the number of wireless inquiries had dropped from 41,000 in 2004 to 9,000 in 2006.

(2) Japan, India to work together in a broad range of areas, but gaps exist in expectations -- India in pursuit of actual benefits

NIKKEI (Page 3) (Full)
August 23, 2007

Tsuyoshi Yamada, Yushi Kihara, New Delhi

SIPDIS

In a meeting with Prime Minister Manmohan Singh of India, Prime Minister Shinzo Abe confirmed that the two countries would cooperate in a broad range of areas, including global warming and security affairs. Japan aims to strengthen relations with India, which is rapidly increasing its presence. To this end, Japan has prepared a number of "economic assistance" cards toward India. India, however, is cool-headedly assessing the actual benefits it might obtain from cooperation with Japan, while being positive about improving relations with China and Russia as well.

"It's a good example that Japan and India as members of the international community will work together to combat climate change," Abe stressed at a press briefing after the summit talks with Singh yesterday. Abe also indicated his willingness to offer technical assistance to India to improve energy efficiency.

The two leaders displayed their intention to work together to create a post-Kyoto Protocol framework, but when it came to specifics, the

gaps in their views were conspicuous. Abe underscored in the talks: "I think it is necessary for India to be committed in some way or the other to a new framework." In response, Singh said, "I'll give serious consideration to the long-term goals," but at a press conference, Singh highlighted the need to strike a balance between the environmental issue and economic growth. Given that the environmental dispute between industrialized and developing countries is likely to surface again once full-fledged international talks on climate change begin this fall, whether the two countries can work together in actuality is an open question.

Eyeing security, Abe is attaching importance to India apparently with the aim of forestalling China, which is expanding its military strength. During the summit talks, Abe and Singh agreed to strengthen defense cooperation and discussed how to expand information exchange at the working level on joint military exercises and terrorism.

While Japan is pursuing cooperation in a broad range of areas to include the environment and security, India is pursuing practical benefits like improvement of infrastructure, technical assistance to the industrial sector, investment, and acceptance of work force.

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India's growth potential is drawing not only Japan's attention but also other countries' as well. The United States finalized negotiations on a historic civil nuclear agreement by making big concessions to India and it is eagerly watching for an opportunity to access the distribution sector and the financial market in India. America's list of items for cooperation with India ranges from military affairs and aerospace to agriculture and is practical.

Russia, which has been traditionally friendly toward India, already announced it would render cooperation to India regarding the construction of a nuclear power plant in that country. Russia is also increasing its presence as a supplier of oil and gas to India. Although China has a border dispute with India, some 60 Chinese firms have already advanced into India.

Japan and India were alienated from each other for many years, but they have now recognized each other as an important partner. But India has no intention to give special treatment to Japan as Foreign Minister Mukherjee said that India was pushing ahead with "unprecedentedly omnidirectional diplomacy" at present.

(3) Japanese, Indian business leaders urge leaders to sign EPA

YOMIURI (Page 11) (Excerpts)
August 23, 2007

An economic mission accompanying Prime Minister Abe on his visit to India, chaired by Nippon Keidanren (Japan Business Federation) Chairman Fujio Mitarai and composed of about 200 business leaders, held a business leaders forum with Indian businessmen on Aug. 22. In the forum, the Japanese mission urged the Japanese and Indian leaders to sign an economic partnership agreement (EPA). The two leaders issued a joint statement that included the goal of doubling the value of bilateral trade by 2010. Japan and India have so far been remotely related on the economic front, but business leaders expect the bilateral ties will deepen from now.

300 million middle-income earners

Mitarai said in the forum: "Japan and India have been remote in terms of goods, services, humans, equity, and information."

According to the Ministry of Economy, Trade and Industry, trade between Japan and India in 2005 totaled 6.7 billion dollars in value terms. This figure accounts for only 3.5 PERCENT of the value of trade between Japan and China. The accumulated amount of direct investment in India up to 2005 was 1.79 billion dollars, equivalent to only 7.3 PERCENT of investment in China. But the mission was composed of as many as over 200 businessmen, more than the 180 on the occasion of the prime minister's visit to the Middle East this spring. This large number shows that the Japanese business world is

greatly interested in doing business in India.

In India with a population of about 1.1 billion, the ratio of middle-income earners who earn 90,000 rupees or about 253,000 yen to all households sharply increased from 9.5 PERCENT in 1995 to 28 PERCENT, or about 3 people, in 2005. The Japanese industrial world sees India as a potential consumption market.

Meanwhile, India expects more investment from Japan. Minister of Commerce and Industry Kamal Nath said in the forum: "We want not only leading companies but also small to medium-sized firms to

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invest more in India."

The weak economic ties between Japan and India are attributed to such negative factors in India as delay in economy-related legal arrangements, non-transparent investment rules, and poor industrial infrastructure, such as railways and port facilities.

In the forum, Mitsui & Co. Chairman Nobuo Ohashi said: "We hope India will introduce more convenient rules."

A questionnaire survey by the Japan Bank for International Cooperation found that Japanese firms see India as the second potential country for their new businesses, following China. But as tasks India should address, 50 PERCENT of respondents cited inadequate industrial infrastructure, such as railways, and 30.9 PERCENT listed nontransparent application of its legal system.

In the Japan-India forum, participants also presented their leaders with a package of proposals calling for an early conclusion of an EPA and for easing or abolishing restrictions on foreign capital.

In their joint statement, Prime Minister Abe and his Indian counterpart Singh pledged to sign an EPA at an early date. An EPA now under negotiations proposes trade liberalization, such as lowering tariffs, as well as measures related to direct investment, such as the construction of plants. If both sign the accord, the environment for bilateral trade and investment will significantly improve.

In a leaders' statement, both sides confirmed the need for the two countries to cooperate in promoting an industrial main-artery concept designed to construct railways, etc., between New Delhi and Mumbai. The Japanese government has supported this concept. If both sides decide to implement such initiatives, investment by Japanese private firms is expected to boost.

On this concept, however, it has been reported that India has asked Japan to offer a huge amount of financial aid. The two governments' working groups planned to compile an interim report on plans to give specifics to the concept, timed with the Japan-India summit. But since both failed to reach agreement on its scale and funds procurement, they were not able to come up with a report. It is likely to take time for Japan and India to build a favorable environment to strengthen their economic ties.

(4) US calls for investment in Pacific islands

NIKKEI (Page 2) (Full)
Eve., August 22, 2007

US Deputy Assistant Secretary of the Interior David Cohen at a press conference in Tokyo yesterday urged Japanese business investment in Pacific islands like Guam, where part of the US forces stationed in Japan will be relocated. The relocation will create demand for new infrastructure, such as public facilities, since the island population is likely to increase. A conference to discuss business opportunities will take place this October in Guam, with concerned US government officials, senior officials from various countries, and business leaders attending.

(5) How Prime Minister Abe will treat key persons-- Fukuda and Tanigaki in cabinet reshuffle? Is silence golden for key persons?

SANKEI (Page 3) (Full)
August 23, 2007

Prior to the reshuffling on Aug. 27 of the cabinet and the lineup of the Liberal Democratic Party (LDP) executives, former Prime Minister Yoshiro Mori said that former Chief Cabinet Secretary Yasuo Fukuda, 71, and former Finance Minister Sadakazu Tanigaki, 62, would become key persons for party unity. The outlook is that the political trend will drastically change, depending on how Prime Minister Shinzo Abe will treat them.

Fukuda may serve in cabinet post, depending on conditions

On July 31, two days after the LDP's devastating setback in the July 29 House of Councillors election, Mori reminded the prime minister, who called on him at his office:

"The key words to the cabinet reshuffle are assurance and security. You should ask Fukuda and Tanigaki to assume cabinet posts. It is meaningful to ask them to serve in cabinet posts even if they refrain from accepting the request."

This story spread immediately. When asked by a junior lawmaker about it, Fukuda replied blandly: "Don't you know such a favor will drive me into a corner?" Although Fukuda was regarded as the strongest rival to Abe in the LDP presidential election last September, he announced in July that he would not run due to his age. Although he has not appeared in the central political stage since the Abe administration was inaugurated, many LDP members still want to see him become prime minister due to his consensus building method. Faction head-level lawmakers, who do not want to see a rapid generational change, have strong confidence in him. Whenever the Abe cabinet displays immaturity, a view is always raised that if only Fukuda were prime minister.

However, Fukuda and Abe are like oil and water. When Fukuda was serving as chief cabinet secretary and Abe was Fukuda's deputy in the Koizumi cabinet, the two were seriously at odds over the government's North Korea policy and other issues. Abe is a grandson of former Prime Minister Nobusuke Kishi and the second son of former Foreign Minister Shintaro Abe, while Fukuda is the oldest son of former Prime Minister Takeo Fukuda. The fact that both belong to the Machimura faction has made their relationship complicated. Due to Fukuda's dovish thinking and a hidden motive of wanting to split the Machimura faction, there is strong expectation in the Tsushima and Koga factions that Fukuda would become the next prime minister.

Fukuda has recently criticized the government, saying, "There is the wrong idea in the Prime Minister's Official Residence that they can do anything." Regarding Abe's decision to stay in office, he reportedly quipped: "That's the worst choice."

Although Fukuda often says that it is not that he became a politician because he likes the job, a person close to him said, "His interest in national politics has become stronger over the past year." The dominant view is that if the prime minister asks him to join his cabinet, he won't turn down the offer depending on the situation.

He appears to be thinking that if he accepts the offer easily, he will lose his value. Fukuda then told his aide: "Silence is

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golden."

Tanigaki gauging circumstances in the party

Tanigaki stayed at his residence in Tokyo on Aug. 4, cancelling his planned Mt. Fuji climb, which he did last year.

His aides expected that he finally had made his move, but he carried out no political activities, but just cleaned his bicycle. He went

overnight cycling to Chichibu on Aug. 11.

A senior member of the Tanigaki faction, which is a den of anti-Abe forces, said that the LDP's crashing defeat in the Upper House would be a good chance for the faction to hold the reins of government. In a meeting on Aug. 7 of the Lower House members, former defense chief Gen Nakatani, secretary general of the Nakatani faction, urged Abe, who was also preset the meeting, to step down from office. He made the calculated remark. The prevailing view in the Tanigaki faction is that if Tanigaki is offered a cabinet post, he should decline it. A mid-level lawmaker in the faction said: "If he joined the Abe government, he would lose the chance to become a LDP presidential candidate for good."

In a meeting on the night of Aug. 8 at a Japanese restaurant in the Akasaka district, Tanigaki sought to constrain his followers, saying, "We should watch calmly the circumstances." Tanigaki, whose pet word is "bonds" or "ties," believes that jockeying for power should be avoided. He has, however, openly said: "Before making a decision to remain in his post, the prime minister should sum up the defeat in the July Upper House election and show his guidance for the future." He has continued to try to check Abe. Aides to Tanigaki are upset about his equivocal behavior. One aide said: "We could not see early-morning sunlight this year, as well. If Tanigaki accepted the offer, his faction would break up."

(6) Daring prediction - 2007 reversal of power in Upper House (2):
DPJ strategy

Tokyo Shimbun (Page 2) (Full)
August 22, 2007

By Shoichi Takayama

Question: The power balance between the ruling and opposition parties was reversed in the Upper House. Although it has been nearly a month since the Upper House election, various public opinion polls have indicated that the approval rating for the Democratic Party of Japan (DPJ) is high and on a par with that of the Liberal Democratic Party (LDP). Will the DPJ be able to maintain that strength?

Answer: Indeed, until now, the DPJ usually lost momentum quickly, even if it made a leap in the national elections. That is because the opposition parties never had a majority (in either Diet chamber). The ruling parties, in the end, continued to take the lead in the Diet, and voters were disappointed at the powerlessness of the DPJ. But things are different this time. The opposition parties have such a great advantage in the Upper House that the LDP has not room for political maneuvering to cobble together a majority.

A Bitter Experience

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Q: What will change?

A: The DPJ now holds the initiative in the Upper House. DPJ member Satsuki Eda was sworn in as Upper House speaker. Since the LDP was formed in 1955, this is the first time that a lawmaker from a party other than the LDP has become the Upper House speaker.

Q: What will happen during the extraordinary Diet session in the fall?

A: The situation should be drastically different from before. When the ruling camp had the initiative, the Upper House simply voted on the many government-sponsored bills sent over from the Lower House, where more than 70 percent of time allocated for deliberation was spent. However, such will no longer be the case.

The opposition camp will now be able to thoroughly probe into the deficiencies of the bills and the ambiguous replies during deliberations. The opposition will be able to summon sworn or unsworn witnesses as they wish. The opposition camp is also

expected to utilize the right of the Diet Houses to conduct investigations of the government, the exercising of which has been effectively prevented by the ruling parties, and to look into the workings of the administration and the way that taxes are used.

The government and the ruling parties, which will be in trouble, will probably call on the opposition camp to hold negotiations to revise bills.

Q: Will the DPJ accept negotiations?

A: No, that will not happen. The DPJ had a bitter experience.

At the extraordinary Diet session in 1998, when the opposition parties had dominance in the Upper House, then DPJ President Naoto Kan stated that the financial issue "will not be utilized as a step to seek a change of power." Because the DPJ took a cooperative line with the ruling camp, the Liberal Party under then party leader Ichiro Ozawa, gave up on the united front among the opposition parties and formed a coalition government with the LDP. The DPJ lost an opportunity to take power.

DPJ lawmakers are feeling strongly that they should never repeat that mistake. DPJ President Ozawa has said, "We will not be able to fulfill our responsibility to the people (the popular will) which was expressed in the election, if we negotiate with the ruling parties and come up with a policy formulated by simply adding one plus one and divide it by two."

Numerical Strength

Q: Then, will the Upper House reject government-sponsored bills one after another?

A: The opposition parties will oppose bills that are symbolic of the confrontation between the ruling and opposition parties. An example of this is a bill to extend the anti-terrorism special measures law, which is required to continue the Indian Ocean refueling mission by Self-Defense Force ships.

However, the opposition camp will not "oppose everything." They are

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also expected not to unnecessarily adopt censure resolutions against Prime Minister Shinzo Abe or cabinet ministers. Because the opposition parties have criticized politics by the ruling camp as "oppression backed by numerical strength," there is a possibility for the opposition parties to antagonize the public, if they take a rough approach based on the numerical strength.

Q: Then, how are they going to take power?

A: Their scenario is to carry out an offensive at the Diet to drive the Abe administration to dissolve the Lower House and call a general election, by which the party can take power at once in that election.

Q: Will they be able to take power by taking such an ordinary tactic?

A: By fully utilizing the of the Diet chambers to conduct investigations and by summoning witnesses, they will expose problems of the administration in all kinds of fields, such as the public pension system, the practice of bureaucrats getting lucrative jobs after retirement, and the issue of money and politics. They will also adopt at the Upper House bills that can easily gain understanding of the people. These bills include a bill to ban the use of pension premiums for other purposes and a bill to eradicate the practice of bureaucrats getting lucrative jobs after retirement. The opposition parties think that there will be increasing public call for a change of administration, if the ruling parties vote down these bills at the Lower House. If Prime Minister Abe is driven into a corner, he will have no other choice but to take a chance and dissolve the Lower House for a general election. Perhaps, this is the strategy that Ozawa envisages.

Q: Will it be so easy as that? The Lower House election might be put on the back burner and Prime Minister Abe might just step down.

A: There is a possibility for these things to happen. Although that will not be a happy development for the DPJ, which hopes that "a Lower House election will be held at an early date, so that we can fight against Prime Minister Abe," there is nothing that the opposition parties can do about it. There are no reliable steps to drive the prime minister to an early dissolution.

The Right Path

Q: Will Ozawa engineer the reorganization of the political parties to bring about a power change?

A: I do not think that he will take that strategy. Under the Lower House's single-seat constituency system, in which a political party fields only one candidate in an electoral district, it is difficult for a large-scale political realignment to take place. First of all, given the difference in the number of seats held by the ruling and opposition parties in the Lower House, a change of power is impossible unless about 100 LDP lawmakers leave the party. The people are also fed up with repeated realignments of political parties. A negative opinion about that strategy is prevailing in the DPJ: "The political realignment is not the right path to take."

Q: Is it possible for a change of power to take place in the next Lower House election, regardless of when the election will be held or who will fight that battle?

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A: The party officials concerned with election affairs are explaining that "a basic formula (to gain a victory) was established in the Upper House election." The DPJ should field a fascinating candidate, build up cooperation with the other opposition parties, and present policies that can gain public approval as the party did in single-seat constituency in the Upper House election campaign. This is the "right path" for the DPJ to take. Ozawa is expected to tour around provinces again to gain wider support.

(7) Daring prediction - 2007 reversal of power in Upper House (3):
Prime minister after Abe

Tokyo Shimbun (Page 2) (Full)
August 23, 2007

By Ryuji Watanabe

Question: Liberal Democratic Party (LDP) lawmakers must be nervous about the shuffling of ministers and party executives coming up on 27 August.

Answer: No, the situation seems different this time. Many LDP lawmakers are saying that they do not want to board a sinking ship. After the crushing defeat in the Upper House election, the lawmakers are more interested in the question of when to hold the next Lower House election and who should become party leader to fight the election battle.

First strike to win the battle

Q: The previous Lower House election was held in September 2005. Lower House lawmakers' term of office will end in September 2009. So, there are two years remaining until the next general election.

A: The ruling coalition comprising of the LDP and New Komeito lost their majority in the Upper House. The opposition parties will now launch an offensive to drive the ruling bloc into dissolving the Lower House for a snap election. In order to dodge the opposition camp's offensive and stabilize the administration, the ruling parties need to again win the majority in the next Lower House election and prove that voters do not wish a change of government.

Q: If bills sponsored by the government or the ruling parties are rejected by the Upper House, it will not be possible to enact them

unless the Lower House passes them again by a two-thirds majority. Currently, the ruling bloc has enough Lower House seats for that, but it will be difficult for them to maintain those seats after the next Lower House race. Moreover, the ruling parties may even have to hand power over to the Democratic Party of Japan (DPJ), depending on the election result.

A: The ruling camp will be in a fix if they are reluctant about dissolving the Lower House, out of concern for such a risk. They could be forced to dissolve the Lower House under disadvantageous circumstances, if the opposition parties drive them into a corner. Instead, the better course of action for the ruling parties would be to launch the first strike in order to win the battle: they should go ahead and carry out the dissolution at a timing that is advantageous for them.

Q: I wonder if the LDP will fight the Lower House election battle

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under Prime Minister Shinzo Abe's leadership.

A: The prime minister suffered a fatal blow in the Upper House race. Thus, he no longer has the political energy to recover his former cabinet approval rating and be the leader in the battle that will decide the fate of the LDP. The dominant view is that the LDP should fight the Lower House battle under a new party president (prime minister).

Q: At present, there is not a growing call for Prime Minister Abe's resignation.

A: Moves to "remove Abe" will become increasingly active later this year, if the cabinet approval rating remains low even after the cabinet reshuffle and if the Diet adopts a censure motion against the prime minister. Even if he tides over the upcoming extraordinary Diet session, demands for his resignation will grow strong at once, if he faces such a setback as turmoil in deliberations during the next ordinary Diet session.

Rivals

Q: Who are candidates for new LDP president?

A: Foreign Minister Taro Aso is the most likely candidate to be the next party president. His informal way of talking is gaining high popularity. When Jiji Press conducted an opinion poll in early August and asked, "Who is the most suited lawmaker to be the next LDP president?" Aso was in second place (with 14.9 percent) after former Prime Minister Junichiro Koizumi (with 17.1 percent). Aso's popularity was much higher than that of the lawmaker in the third place.

Q: But Aso's problematic remarks are also cause for concern.

A: There are many lawmakers who were disappointed at his remark that "even people with Alzheimer's disease can understand this much." There is also a concern over his tactic of joining hands and acting as one with the prime minister. Aso is expected to be assigned to a key post in the cabinet shuffle on 27 August. However, if more people get the impression that he is in the same boat with Prime Minister Abe, it will become difficult for him to clearly express his own character, even when he becomes LDP president.

Q: Who are his rivals?

A: Former Finance Minister Sadakazu Tanigaki and former Chief Cabinet Secretary Yasuo Fukuda are being mentioned as rival candidates. Tanigaki fought against Abe in the LDP presidential election last fall and has been assuming a critical stance toward the prime minister since then. He can run in the party presidential race, advocating a change from the "Abe politics," but his popularity is not increasing. Although some LDP members are hoping that Fukuda will become the next party president, support for him is not growing.

Q: I hear that there is a plan to let former Prime Minister Koizumi become prime minister again, or make Defense Minister Yuriko Koike the first female prime minister.

A: Both of them are clearly denying such a possibility, but the LDP
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is a party that has done whatever it can do to remain in power. Because Koizumi and Koike are both popular, it cannot be said that the possibility is zero.

Revitalizing the Party

Q: When will the Lower House be dissolved?

A: It is rumored in the LDP that the dissolution will take place: 1) during the current year if there is turmoil during the extraordinary Diet session in the fall; 2) in the spring of 2008, after the passage of the fiscal 2008 budget bill; and 3) after the Lake Toya summit of the Group of Eight major powers in Hokkaido (which will be held from 7 to 9 July, 2008).

Q: But when is it most likely?

A: If the dissolution is carried out during the current year, the LDP will not have enough time to revitalize itself, based on lessons learned from the Upper House election. This way, the LDP may end up giving the opposition parties an advantage. It is necessary for the LDP to secure time to rethink its election strategy, notably policies for provinces, and reflect these policies on the national budget. If the LDP will do these things, the dissolution will take place in or after next spring, when the fiscal 2008 budget bill is enacted.

Q: So, it is more likely that the Lower House will be dissolved under Prime Minister Aso next spring.

A: If we make a prediction at present point, such is likely. In political circles, however, nobody can tell what may happen next. Thus, there is a good possibility for a lawmaker other than Aso to become prime minister. Even so, it will not change the trend of the time to dissolve the Lower House at an early date under a new party president.

(8) "Borderline" ties the hand of SDF

SANKEI (Page 5) (Abridged)
August 23, 2007

By Hiroyuki Noguchi

In Japan's security laws, there is a fictitious "borderline" that divides "peacetime" from "contingency." It is a product of a negative response to the military that was established after the war. The fictitious "borderline" was devised by some government officials and lawmakers as a "safety device" to prevent the Self-Defense Forces from taking reckless actions. Contrary to the original purpose, the "borderline" is now serving as a shackle for the SDF, heavily restricting its emergency operations.

Suppose a Japanese transportation system was bombed by a North Korean special unit. The SDF is allowed to use force only in defense operations, which should follow an armed attack on the country from outside. Asked for the definition of an armed attack on Japan from outside, a government official indicated that "it is a calculated and organized armed attack on the country by a foreign country." Will a special unit reveal its identity? Given the possibility of Islamic fundamentalist groups or extremists in the country attacking Japan, the government might not be able to issue an immediate order

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to the SDF for defense operations.

Procedures before issuing an order for defense operations contain

some problems as well. The government is allowed to issue an order for mobilizing the SDF for guarding specific locations following a terrorist attack. But influential Liberal Democratic Party lawmakers questioned if SDF troops are allowed to point guns at civilians, and this has prompted the government to remove such places as the Imperial Palace, the Kantei (Prime Minister's Official Residence), the Diet building, and nuclear power plants from the list of locations requiring protection, leaving only SDF and US bases on the list. In other words, the SDF is allowed to guard other facilities only when police forces and the Japan Coast Guard are unable to do so. SDF mobilization is often requested by police forces during their joint drills. Many people mistakenly believe that mobilizing the SDF in case of emergency is ensured by law, which is common sense. The nonsensical legislation has been betraying the public.

The betrayal stems from the government's artificial decision that police forces would take charge during peacetime and the SDF during contingencies, forging a fictitious idea that the SDF would take military action only during national contingencies on an extension of police authority.

Attacks by special commando units and agents may widely vary in area, frequency, scale, and danger. Peacetime and contingency could occur randomly. They could even occur at the same time in some areas.

At the same time, the existence of the gray zone, which is neither peacetime nor contingency, can no longer be explained with the borderline theory alone.

A contingency on the Korean Peninsula could easily spill over to Japan. But such a situation in the initial stage would not constitute a contingency in Japan. The government therefore has come up with the concept of "contingencies in areas surrounding Japan," which fits in between peacetime and contingency in Japan.

The SDF is allowed to refuel US naval vessels in areas distinct from combat zones during contingencies in areas surrounding Japan. Under the law, the SDF is also allowed to halt its refueling operation in the event a US vessel is attacked while receiving fuel. This is tantamount to legal guarantee for betraying and deserting an ally in the face of an enemy on the strength of the "borderline."

Rear areas, including the Japanese territories, are particularly prone to terrorism. It would be highly effective to let a North Korean special unit make a terrorist attack on Japan during a contingency on the Korean Peninsula in order to intimidate the Japanese public with the aim of forcing the SDF to discontinue its logistical support for the United States. Terrorism is expected in Japan instead of "areas surrounding Japan." Advanced missile technology could also turn the rear areas into combat zones in a second. Even if Japan draws a line, North Korea could easily cross it.

"The legal basis facing up to reality that can make full use of the country's defense capability" and the "state decision-making mechanism" that are essential for defending sovereignty are now dysfunctional, given those abstract expressions and the fictitious "borderline." They would remain dysfunctional as long as the

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legislative and administrative branches hold on to the postwar logic of not allowing the SDF to take military action until the last minute.

MESERVE